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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

CALIFORNIA DEPARTMENT OF
TOXIC SUBSTANCES CONTROL,

Plaintiff,

vs.

FREUD F. FARLEY AND KARL C.
KLUCK,

Defendants.

Case No.: C 05-03150 PJH

**STIPULATION AND ~~PROPOSED~~
ORDER CONTINUING THE HEARING
DATE AND OPPOSITION AND REPLY
PAPER DUE DATES RE: PLAINTIFF
DTSC'S MOTION FOR SUMMARY
ADJUDICATION ON COSTS**

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STIPULATION

Plaintiff CALIFORNIA DEPARTMENT OF TOXIC SUBSTANCES CONTROL (“DTSC”) and defendants FREUD F. FARLEY and KARL C. KLUCK (“Defendants”) hereby agree and stipulate as follows:

1) On March 14, 2007, plaintiff DTSC filed a Motion for Summary Adjudication on Costs (“Motion”), which is currently set for hearing on April 25, 2007.

2) The parties have agreed to mediate this case before the Honorable William L. Bettinelli (Ret.) at JAMS on April 16, 2007.

3) In the coming weeks, the parties wish to focus on the mediation.

4) Accordingly, the parties agree to continue the hearing date and briefing schedule for DTSC’s Motion, in compliance with Civ. L.R. 7-2 & 7-3, as follows:

- a) The new hearing date for DTSC’s Motion will be May 23, 2007;
- b) Any opposition papers must be filed and served by April 26, 2007; and,
- c) Any reply papers must be filed and served by May 9, 2007.

SO STIPULATED:

Dated: March 21, 2007

DEPARTMENT OF JUSTICE

/s/ Jamie Jefferson
Jamie Jefferson
Deputy Attorney General
Attorneys for Plaintiff
STATE OF CALIFORNIA
DEPARTMENT OF TOXIC SUBSTANCES
CONTROL

1 Dated: March 21, 2007

CRAIGIE, McCARTHY & CLOW

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4 /s/ Kristen E. Drake

Kristen E. Drake

Attorneys for Defendants

FREUD F. FARLEY and KARL C. KLUCK

7 **ORDER**

8 Pursuant to the parties' stipulation, it is hereby ORDERED that:

9 1) The hearing date for plaintiff CALIFORNIA DEPARTMENT OF TOXIC
10 SUBSTANCES CONTROL's ("DTSC") Motion for Summary Adjudication on Costs is May 23,
11 2007;

12 2) Any opposition papers must be filed and served by April 26, 2007; and,

13 3) Any reply papers must be filed and served by May 9, 2007.
14

15 **SO ORDERED.**

16 Date: 3/29/07
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